

DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT CORPS OF ENGINEERS 400 HIGH POINT DRIVE, SUITE 600 COCOA, FLORIDA 32926

October 16, 2008

Regulatory Division Cocoa Permits Section SAJ-2008-1387(IP-AWP)

Florida Department of Transportation, District 3

Attn: Joy Giddens 1074 Highway 90

Chipley, Florida 32428

Dear Ms. Giddens:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
 - c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

David S. Hobbie

Chief, Regulatory Division

Enclosures

Copies Furnished:

USCG, Attn: Tim Boriskie, Private Aids to Navigation Section, 500 Poydras Street, Suite 1230, New Orleans, LA 70130 USCG; David Ledet (electronically) FWS, Mary Mittiga (electronically) EPA, Atlanta
NMFS, David Rydene (electronically) NOAA, Chris Libeau (electronically) USACE, Terrance Janugla (electronically)

CESAJ-RD-PE

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation, District 3

Attn: Joy Giddens

P.O. Box 607

Chipley, Florida 32428

Permit No: SAJ-2008-1387 (IP-AWP)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

<u>Project Description</u>: The demolition and removal of two (2) end bents, twenty (20) intermediate bents and (7) piers and caissons associated with the abandoned DuPont Bridge. Four (4) caissons will remain protruding above the bay bottom at an elevation of -20 feet Mean Low Water (MLW). The work described above is to be completed in accordance with the 3 attachments affixed at the end of this permit instrument.

Project Location: The project is the removal of the abandon DuPont Bridge which traverses the Gulf Intracoastal Waterway (St. Andrews Bay) between Tyndall Air Force Base and Parker, Florida. The bridge is located adjacent to the Tyndall Parkway, adjacent to Sections 25 and 35, Township 4 South, Range 14 West, Bay County, Florida.

<u>Directions to site</u>: The project is located adjacent to Tyndall Parkway, in the Gulf Intracoastal Waterway between Tyndall Air Force Base and Parker, Florida.

Latitude & Longitude: Latitude 30.103 North

Longitude 85.608 West

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Permit Conditions

General Conditions:

- 1. The time limit for completing the work authorized ends on **September 30, 2013**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to

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ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- 1. The Permittee agrees to remove two (2) end bents, twenty (20) intermediate bents and seven (7) caissons/piers. The existing end bents and intermediate bents will be removed entirely or below the mud line. The seven (7) large piers supporting the truss spans will be removed to an elevation of -20 feet below MLW, leaving a minimum of 20 feet of navigable clearance.
- 2. The Permittee agrees to utilize barge mounted equipment to remove the existing end bents and intermediate bents. The substrate will be restored to initiate recolonization by seagrass.
- 3. The Permittee agrees to incorporate and follow the Manatee Construction Conditions included as Attachment 2.
- 4. The Permittee agrees follow the Sea Turtle and Smalltooth Sawfish Construction Conditions included as Attachment 3.
- 5. The Permittee agrees to follow the Seagrass Protection and Substrate Restoration Plan included as Attachment 4.
- 6. A representative of the Corps will be allowed to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
- 7. The Permittee agrees to perform a side scan survey of the impacted/restored substrate areas to show that no debris has been left in place and the substrate matches pre-construction contours and is similar to that of adjacent submerged aquatic vegetation areas.
- 8. The Permittee agrees to provide a copy of the As-Built Drawings and Certification form to the U.S. Coast Guard, Aids to Navigation, 501 Magazine Street, New Orleans, Louisiana, 79130-3396. The as-built drawings shall include the depth of water

PERMITTEE: FDOT - District 3

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over each piling (Mean Low Water) and the distance from the outer edge of the channel to the nearest piling on each side of the channel.

- 9. The Permittee agrees to provide a copy of the As-Built Drawings and Certification form to the National Oceanic and Atmospheric Association (NOAA), National Ocean Survey, Nautical Data Branch, 1315 East West Hwy, Silver Spring, Maryland, 20910. The as-built drawings shall include the depth of water over each piling (Mean Low Water) and the distance from the outer edge of the channel to the nearest piling on each side of the channel.
- 10. The Permittee agrees to provide a copy of the As-Built Drawings and Certification form to the U.S. Army Corps of Engineers, Mobile District, Construction Operations Division, Attn: Terrance Jangula, 1706 East 5th Street, Panama City, Florida 32401. The as-built drawings shall include the depth of water over each piling (Mean Low Water) and the distance from the outer edge of the channel to the nearest piling on each side of the channel.
- 11. All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232 and U.S. Army Corps of Engineers, Cocoa Regulatory Field Office, Attn: Andrew Phillips, 400 High Point Drive, Suite 600, Cocoa, Florida 32926.
- 12. Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.
- 13. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures around all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in

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place and be maintained until all authorized work has been completed and the site has been stabilized.

- 14. Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 6) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:
- a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.
- b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.
 - c. The Department of the Army Permit number.
 - d. Include pre- and post-construction aerial photographs of the project site, if available.

Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
- (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - () Section 404 of the Clean Water Act (33 U.S.C. 1344).

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() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

- 2. Limits of this authorization.
- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

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5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

(DATE)

Joy Ciddens, FDST

(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

Paul L. Grosskruger Colonel, U.S. Army District Commander

irosskruger

PERMITTEE: FDOT - District 3

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE-SIGNATURE)	(DATE)	
(NAME-PRINTED)		
(NAME INTRIBU)		
	now.	
(ADDRESS)		
(CITY, STATE, AND ZIP CODE)		

PERMITTEE: FDOT - District 3

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Attachments to Department of the Army Permit Number SAJ-2008-1387(IP-AWP)

- 1. PERMIT DRAWINGS: 13 pages, dated 6/20/08
- 2. Manatee Construction Conditions: 3 pages
- 3. Sea Turtle and Smalltooth Sawfish Construction Conditions: 1 page
- 4. Seagrass Protection and Substrate Restoration Plan: 4 pages
- 5. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 22 pages.
- 6. As-Built Certification: 1 page

STATE OF FLORIDA

DEPARTMENT OF TRANSPORTATION

CONTRACT PLANS

FINANCIAL PROJECT ID 421245-1-52-01 BAY COUNTY (46020) PROJECT LOCATION

STATE ROAD NO. 30 (US 98) OVER EAST BAY DUPONT BRIDGE DEMOLITION

INDEX OF PLANS

SHEET NO.

SHEET DESCRIPTION

EY SHEET - SOUTH APPROACH PLAN SHEET - NORTH APPROACH

EMERAL MOTES (107 E)
EMERAL MOTES (2 OF 2)
'UM AND ELEVATON (10F 2)
'UM AND ELEVATON (2 OF 2)
'UM AND ELEVATON (2 OF 2)
'STORC SPAN REMOVAL AND PLACEMENT PROCEDURE
'TORNWATER POLLUTION PREVENTION PLAN

8888869

BEGIN PROJECT 70 PANAMA CITY TO HILAND PASK END PROJECT TO WEWAHITCHKA

C/O AMERICAN CONSULTING ENGINEELL, P.E.
PACE, FLORIDA, LEGI-E/OF8
PACE, FLORIDA, 12571-078
(850) 89-975

ALL SHOP DRAWINGS TO BE SUBMITTED TO:

American
Consulting Engineers of Florids, LLC

PLANS PREPARED BY:

3662 Highway 90
Pace, Fiorida 32571-1078
Phona: (850) 994-9984
Carifficate of Authorization No. 9302
Vendor No. VF 643892340-001
Confract No.

OUNTIC PRESERVE R-14-W R-13-W 70 PORT 57. JOE

FOR ROW MO

PROJECT LENGTH IS BASED ON & OF CONSTRUCTION

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FOOT PROJECT MANAGER: SHAWN JUSTICE, P.E.

REVISIONS

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

PCL CIVIL CONSTRUCTORS, MC.
380 MORTHOLIE BOULEVARD, SUITE 200
TAMPIL FL JURN
PHONE: 483 284-9800 FAX: 483 384-9848

CONSTRUCTION LEADERS

DATE OF THE TANK OF

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Permit # U.S. Army Corps of Engineers SAT. JUS-1387 108

Attachment:

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DESIGN SPECIFICATIONS: FDOT Structures Manual dated July 2007 (ref. Vol. 1, Section 1.6). Subsequent Structures Temporary Design Bulletins February 14, 2007: March 9, 2007 and March 27, 2007.

Design Build Team shall submit a Comprehensive Demotition Plan, Blasting Plan, Endangered Species Protection Plan, Sec Grass Protection Plan, Lead Base Paint Management Plan, Water Quality Plan, Disposal Plan, Substrate Restoration Plan, SWPPP and NPDES.

PERMITS/COORDINATION:

Permits and/or coordination by the Design Build Team will be required with the following agencies: United States Amy Corps of Engineers (USACLE), Florida Department of Environmental Protection (FDEP), Florida Fish and Widdle Commission (FWC), and Halliand Marine Fisheries Service (NAMFS), United States Fish and Widdle Services (USFWS).

The Design Build Team sholl also coordinate with Tyndoll Air Force Base (TAFB) during all phases of the

Chief of Sofety (850) 283-4231 t. Col. Molcolm Kennedy Moster Sgt. Cornelius Thompson Airfield Management (850) 283-4244

Mr. Rockford Johnson Weapons Solety (850) 283-4964 Fight Safety (850) 283-4966 Mr. Michael Simons Right of Way (850) 283-4564 Ms. Karen Jones Master Sgl. John Kelly Security Forces (850) 283-4564

PLAN DIMENSIONS:

All dimensions in these plans are measured in feet and inches either horizontally or vertically unless otherwise noted. Existing bridge dimensions are based on information contained in the original contract plans and shall be verified by the Design Build Team in the field before beginning construction.

The Design Build Team shoft be responsible for ensuring that no damage occurs to any existing utility within the project limits as a result of his work. The Design Build Team shall deathly and locate of utilities within the project limits prior to construction. The Design Build Team shall have field locates performed prior to beginning construction. Call Sunshine State One Call, (800)-432-4770.

OCCUPATIONAL SAFETY AND MEALTH RECOUREMENTS:

A frieboot with sofety equipment shoel be provided by the Design Build Team in the immediate vicinity where his employees ore working.

HARINE SAFETY:

The Design Build Feom is directed to the fact that prior to beginning work he is required to contact the Coast Guard as follows:

Controller (DBB)

Chief, Bridge Management
Eighth Coast Guard District
Hale Boggs Federa Building
500 Poydras Street
New Drivens, LA 70130

Phone No. (504) 671-2128

The Design Build Team shall contact the Coast Guard at least sixty (60) days prior to beginning work.

MARINE TRAFFIC:

The Design Build Team shall submit a plan and schedule, for approval, of all work which will restrict the nowipotional channel to makine traffic. The Design Build Team shall notify the Coast Guard, in writing, at least shifty (80) days in odvance of such restriction. If the vertical or harizontal clearance in the nowipotional channel is reduced during working hours by such elements as work platforms or safety nets, these obstructions shall be illuminated for makiners approaching the nowipotional channel from any submitted to the Coast Guard. The vertical and horizontal clearance in the nowipotional channel shall not be readuced during non-reading hours. All requests to close the nowipotional channel or reduce the vertical or shall not be readuced with the Engineer prior to Coast Guard submittal.

DEBRIS: All debris shall be removed in accordance with approved permits.

ALC I S J ONS

SPAN DISPOSAL:

At least one truss span shall be removed and transported to the offshore site designated by Bay County Planning and Zaming and sunk intact to the the bottom to create an artificial reef.

VENORIAL MARKER: 100

A Florida Historical Marker shall be constructed and placed at the Earl Gibert Park as a memorial marker. A marker shall be attached to the truss spon that is intended for the artificial reel signifying that it is from the Old DuPant Bridge. For placement and wording of markers, the Design Build Team, shall coordinate with Amonda Marshall at (850) 415-9508.

LEAD BASED PAINT:
The Design Ball from is responsible for following the requirements of the Occupational Safety and Negatia (ISSHA), the Environmental Protection Agency (EPA) and other governing authorities when removing point. See the Specifications for information. Coordination shall be with Alon Hagans, (850) 415–9511. additional

SUBMERGED ACUATIC VEGETATION (SAV):
The finits of the SAV shot be morted by installing temporary buoys to prevent barges or other materizatt from entering areas of SAV. The buoys shall be installed just outside the finits of the SAV, to avoid potential impacts by installation of the buoys.

Vessels being used during construction shall be excluded from the SAV areas to avoid potential scouring or prop scarring while

and prop scarring. All vessels stored on-site shall be moored outside the SAV areas to avoid temporary shading impacts and possible scowing

All work sholl be conducted within the footprint of the existing structure or within oreas that are void of SAV

The Design Build Team shall have a certified diver on staff to verify proper removal of the structure. The firm shall perform a survey of the bottom of the boy thirty (30) it each side of the bridge structure prior to the demostion, identify, and document any material or debris present. Once the demostion is complete the bottom of the bay shall be restored back to the existing condition prior to the demolition.

MARINE LIFE PROTECTION:

The Permittee soal instruct oil personnel associated with the project of the potential presence of manatee(s), sturgeon, smollooth sourish, and/or marine turlle(s) and the need to avoid collisions with these species. All construction personnel are responsible for manitoring water-related activities to determine the presence of the above species.

The Permittee shall advise all construction personnel that there are civil and criminal pendilles for harming, harassing, or killing monoteets), sturgeon, smallooth sawlish, and marine turtlets) which are protected under the Marine Mammal Protection Act of 1972. The Endongered Species Act of 1973, and the Florida Manatee Sanctuary Act.

All vessels associated with the construction project shall operate at "No Wake/Ide" speeds at all times while in the construction area and while in water where the draft of the vessels provides less than a four (4) It aleanance from the bottom. All vessels will follow routes of deep water whenever possible.

construction/dredging operation or vessel movement, at appropriate precovious shall be implemented to ensure protection of these species. These precoulions shall include the operation of all moving equipment no closer than fifty (50) if to it movement and equipment coloser than fifty (50) if to a majorited, sturgeon, smalltoth serifich, and/or marine that the half immediately cause operation. Activities will not resume until the species has departed the project area of its own voltion. Il manatee(s), sturgeon, smolltooth sawlish, and/or marine turtle(s) are seen within one hundred (100) yas of the active

Any collision with or injury to a manatee shall be reported immediately to the Florido Fish and Whalle Conservation Commission Holline, (888)-404-3922. Collision or injury should also be reported to the U.S. Fish and Whalle Service in Panama City, (850)-769-0552 and NDAL/National Marine Fisheries Service, (727) 570-5344.

Identification posters will be given out to observers so there is easy recognition of listed species. Also, temporary signs concerning monotes(s) shall be posted prior to and during all construction/dredping activities. All signs shall be removed by the Concerning monotes(s) shall be posted prior to and during at least three (3) ft x four (4) ft which reads "Couldon listenset" propriet to senter related construction crees. A second sign must be posted if vessels are associated with the construction, and must be visible to the vessel operator. The second sign must be at least 8½" x 11" which reads "Coulon: Manatee Hobitot. Idle speed is required if operating a vessel in the construction area. Any equipment class than 50 ft of a manateets) must immediately cease operation. Any collision or highly to a manateets) shall be reported immediately to the Florida Fish and Widdle Conservation Commissions Hoteline, (866)-404-3922."

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SAJ-0018-1387

GENERAL MOTES
Any public tond corner or bench mark within the limits of construction is to be protected. If a corner monument is in danger of being destroyed and has not been properly referenced. The project administrator should notify the District Surveyor, without delay, at (850) 638-0530.

The contractor shall not bring any hazardous materials anto the project. Should the contractor require such for performing the contracted work, the contractor shall request, in writing, District Contamination Impacts Coordinator (ICCIC). The contractor shall provide the DCIC with a copy of the material safety data sheet (MSICS) for each hazardous material proposed for the contractor. Because state law does not treat petroleum products that are properly contamized and intended for equipment use as a hazardous material, such products do not need a MSDS submittal.

Any known or suspected hozardous material found on the project by the contractor shall be immediately reported to the project odministrator, who shall deet the contractor to project the area of known or suspected contamination from turther occess. The project administrator is to notify the DCIC of the discovery. The DCIC will arrange for investigation, identification, and remediation of the hazardous material. The contractor shall not return to the area of contamination until approval is provided by the project administrator: the DCIC will advise the project administrator.

The contractor shall furnish the project administrator prior to incorporation into the project, a certification from the Florida Department of Agriculture and Consumer Services Division of Plant Industry, stating that the sad and mutch materials are free of naxious weeds, including trapical sada apple.

All furbidity barrier and silt fence shall be removed at the completion of project.

The contractor is to maintain and keep street name identification visible during construction operations, in order to facilitate emergency vehicle traffic.

A DEP generic permit for storm water discharge from large and small construction activities is required (NPDES).

The location(s) of the utilities shown in the plans are based on limited investigation techniques and should be considered approximate only. The verified locations/elevations apply only at the point shown, Interpolations between these points have not been verified. Utilities shall remain unless otherwise noted.

The contractor shall notify utility owners through Sunshine One Callot Florida, Inc. (1-800-432-4770, 811) and utility owners listed below 48 hours in advance of beginning construction on the job site.

UTILITY DWNERS:

	CONTACT	TELEPHONE NUMBER
by County Utally Services Woste Water	Curt Miller	850-872-4785
	Curt Miller	850-872-4785
vision of Panama City	Bill Dorsey	850-769-2929
ker	Cecil Brunson	850-814-5370
	Tom Tucker	850-573-2432
T&T Communications	Hal Hinote	850-913-3709
oirpoint communications	Trovis Burge	850-229-7338
outhern Light	Andru Brambiett	251-662-1170
eoples Gas	Billy Sweat	850-258-5035

28822#4588

TRAFFIC CONTROL NOTES

Traffic controls shall be in accordance with project plans, the current edition of the Florida Department of Transportation Design Standard indices 600–670, the Standard Specifications for Road and Bridge Construction, and the Manual of Uniform Traffic Control Devices (M.U.T.C.D.)

Troffic controffor intersections shall be in accordance with index 604, as applicable, all closures shall be limited to one lane and of all times, as a minimum, one-lane two-way operation shall be maintained through the use of flaggers, street name signs, stop signs, and stop bars shall be relocated as necessary and maintained by the contractor units work is accepted.

Any additional interruptions to traffic which are not shown by the traffic controlpian, but are necessary to construct the project shallbe submitted in writing to the project administrator and approval shallbe abtained prior to the commencement of work submitted material shall include sketches, calculations and other data and shall be signed and sealed by a specially engineer.

The contractor must maintain positive drainage throughout the project during at phases of construction

Access to adjacent properties must be maintained by the contractor during all phases of construction.

Troffic conditions, accidents and other unforeseen emergency conditions may require the engineer to restrict or the standard specifications upon notification by the engineer to any requests for correction, improvement randification to the traffic controlpian and/or devices, the cost for this service shall be included in 102-1. PADLE

When the contractor is performing night work and using additional light beyond existing street lighting, he shall post "lighted work zone ahead" signs (MOT 10) in accordance with the standards and specifications, or channelizations shown in the plans the contractor shall respond and provide adjustments as directed by the engineer.

ENGINEER OF RECORD. Jacob Janger 80181H

FLORIDA DEPARTMENT OF TRANSPORTATION

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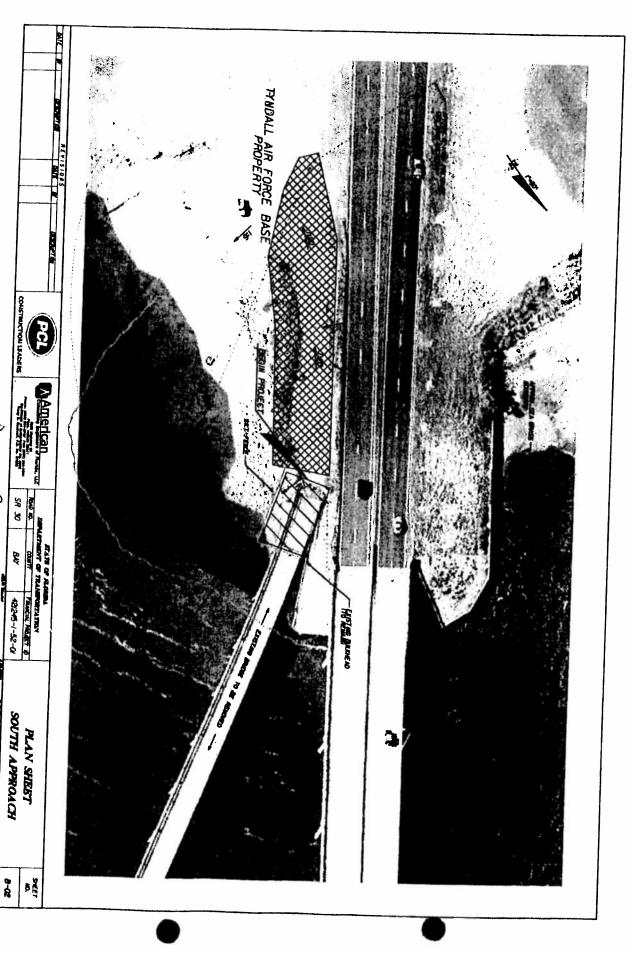
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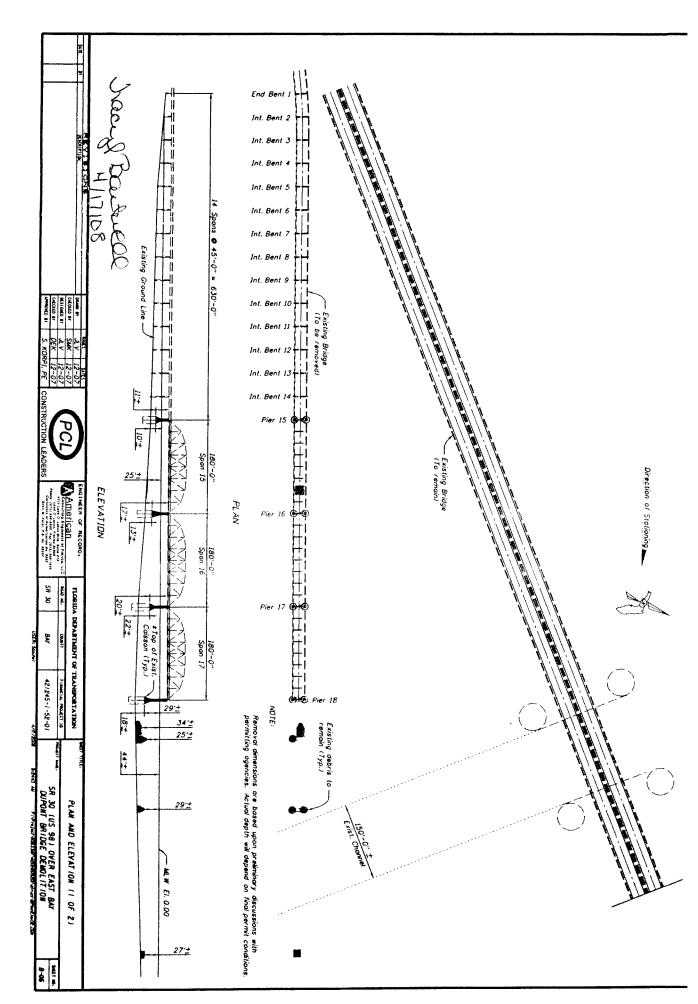


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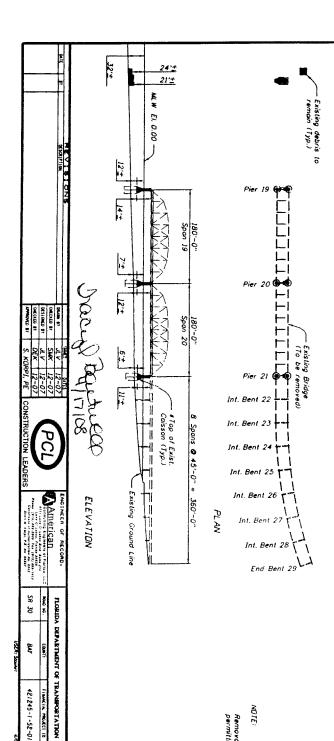
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PLAN AND ELEVATION 12 OF 21

Removal dimensions are based upon preliminary discussions with permitting agencies. Actual depth will depend on final permit conditions.

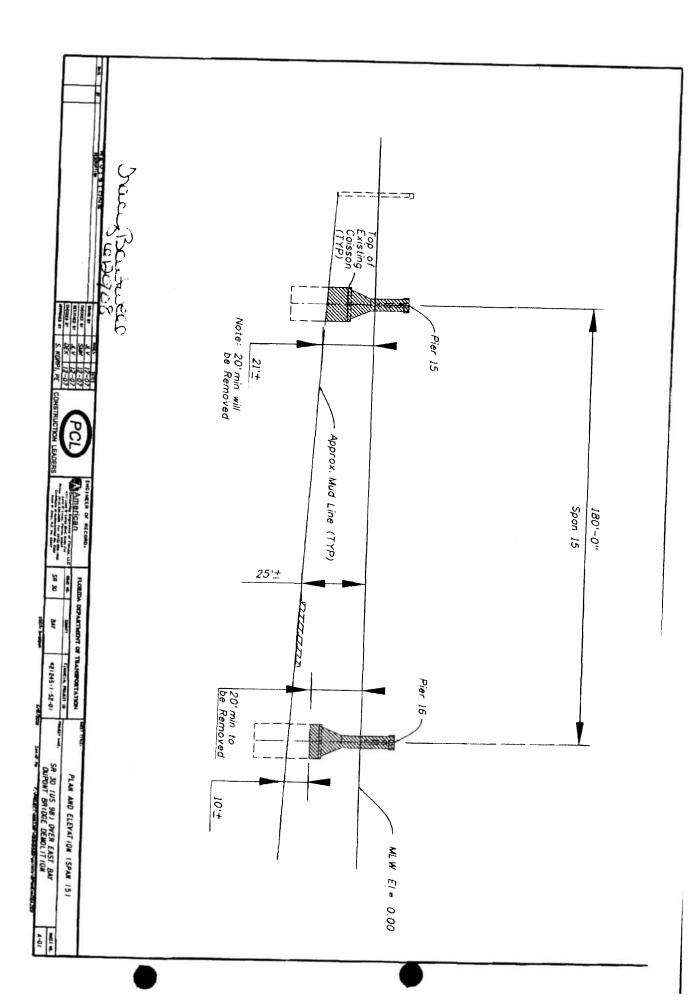
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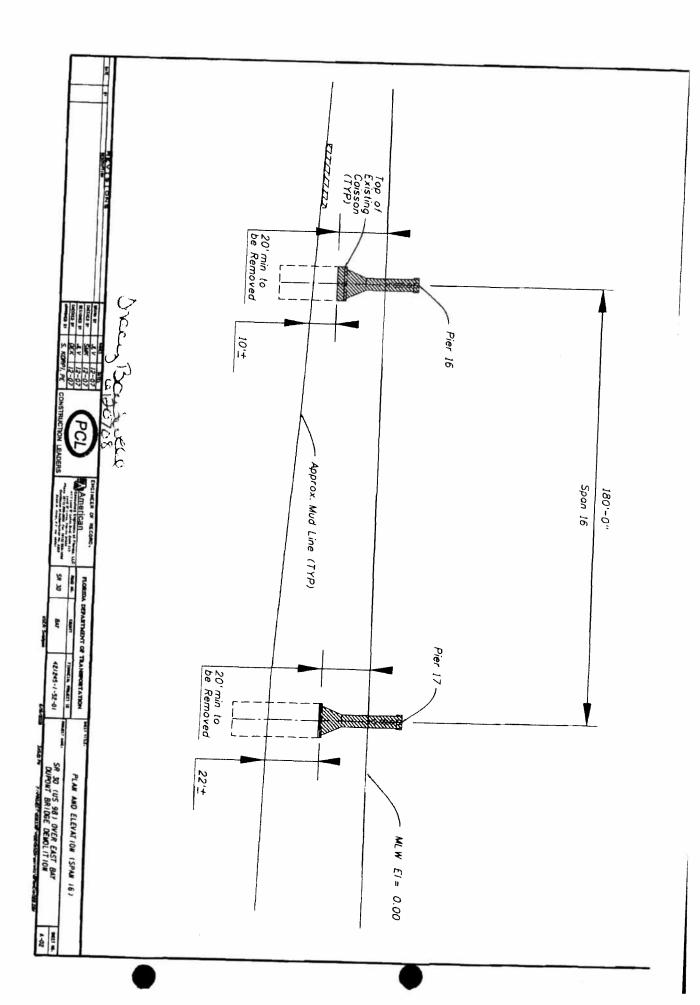
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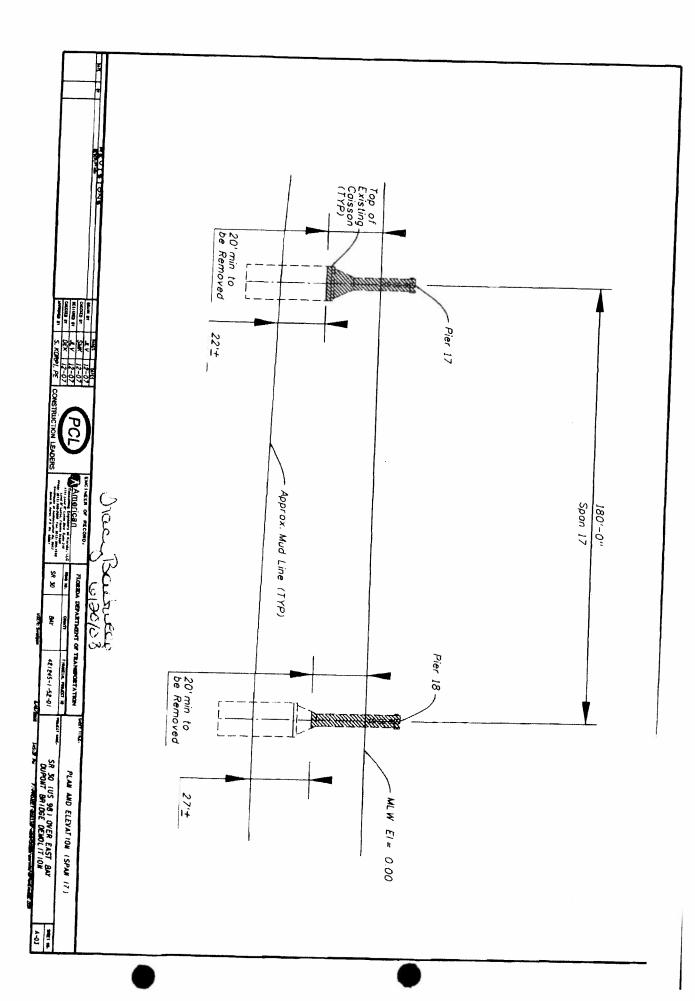
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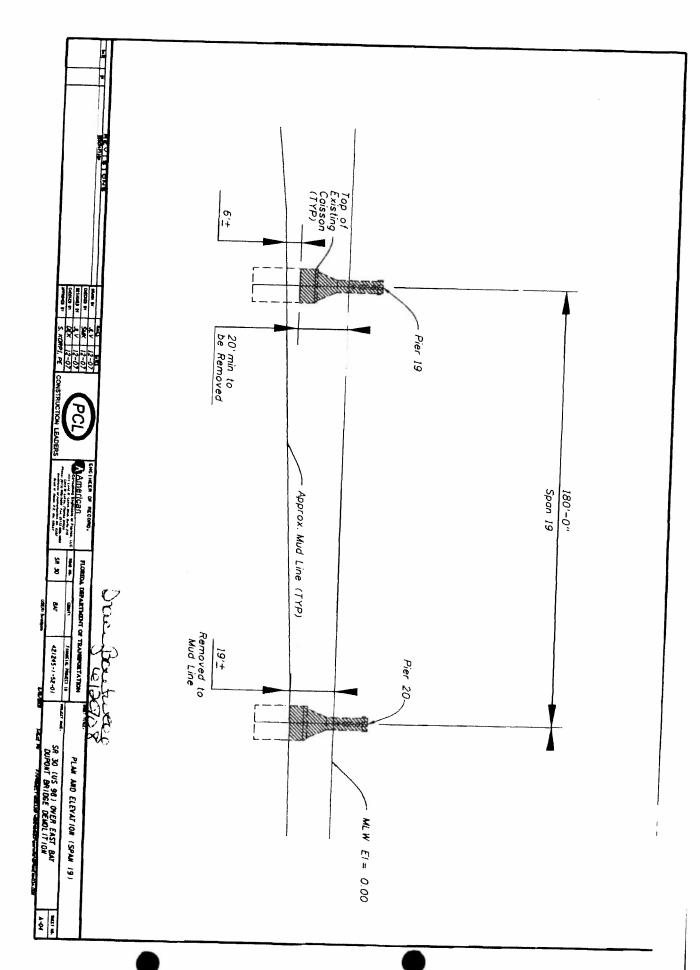
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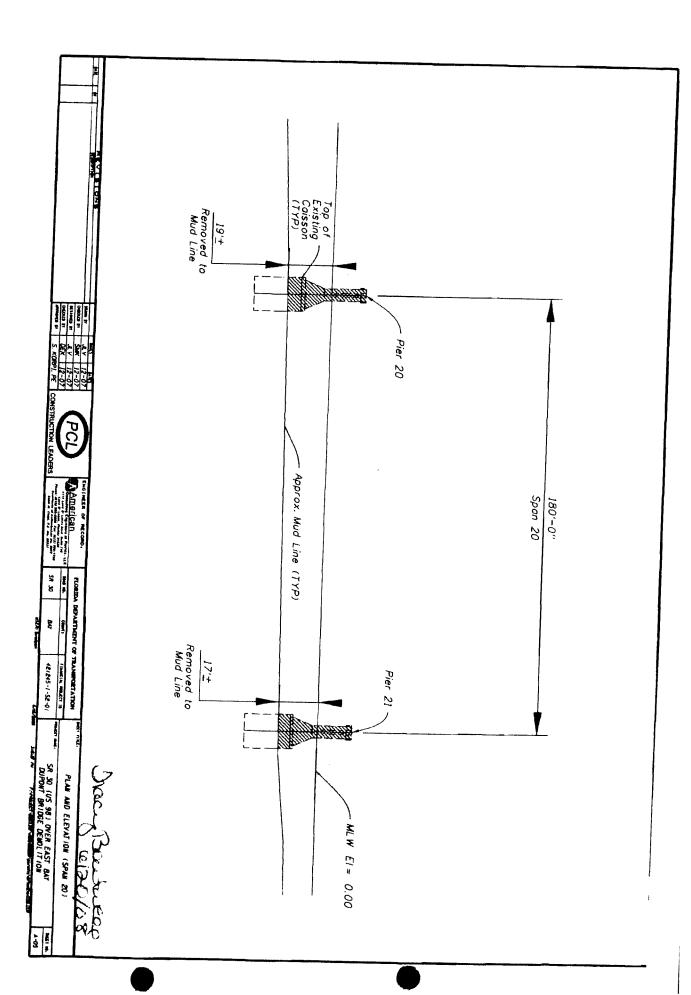
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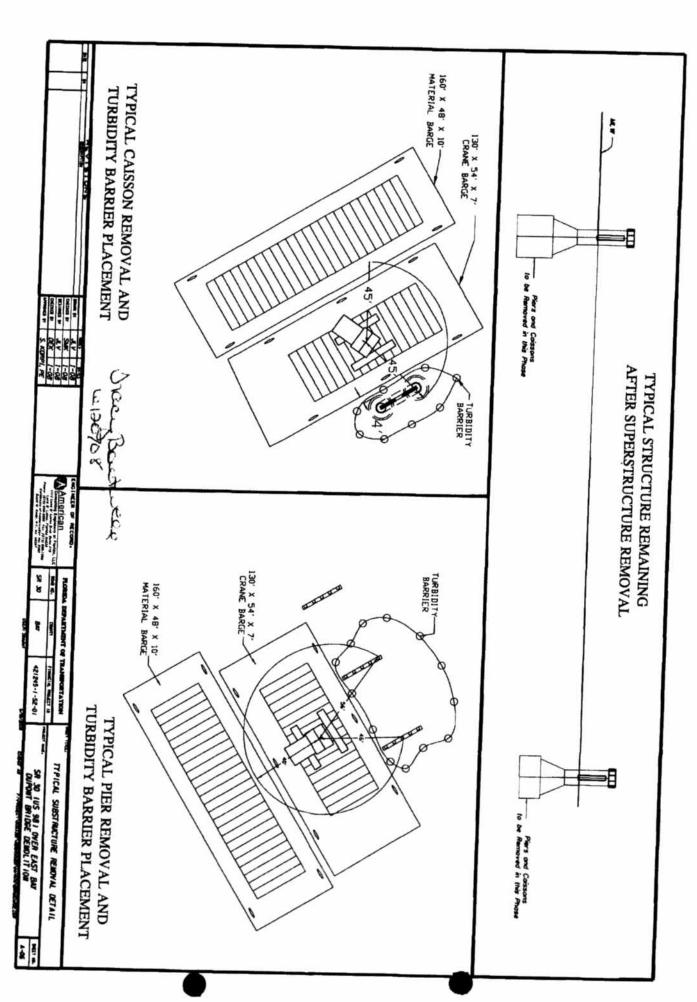
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SAJ. JOB-1387

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

July 2005

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regular ly monitored to avoid manatee entanglement or entrapment. B arriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) for south Florida.
- f. Temporary signs concerning manatees shall be posted prior to and during all inwater project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads Caution: Manatee Area must be posted. A second sign measuring at least 81/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

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FWC Approved Manatee Educational Sign Suppliers

ASAP Signs & Designs

624-B Pinellas Street Clearwater, FL 33756 Phone: (727) 443-4878 Fax: (727) 442-7573

Wilderness Graphics, Inc.

P. O. Box 1635 Tallahassee, FL 32302 Phone: (850) 224-6414 Fax: (850) 561-3943

www.wildernessgraphics.com

Cape Coral Signs & Designs

1311 Del Prado Boulevard Cape Coral, FL 33990 Phone: (239) 772-9992 Fax: (239) 772-3848

Municipal Supply & Sign Co.

P. O. Box 1765 Naples, FL 33939-1765 Phone: (800) 329-5366 or (239) 262-4639

1095 Fifth Avenue, North

Fax: (239) 262-4645 www.municipalsigns.com

Vital Signs

104615 Overseas Highway Key Largo, FL 33037 Phone: (305) 451-5133 Fax: (305) 451-5163

Universal Signs & Accessories

2912 Orange Avenue Ft. Pierce, FL 34947 Phone: (800) 432-0331 or (772) 461-0665

Fax: (772) 461-0669

New City Signs

1829 28th Street North St. Petersburg, FL 33713 Phone: (727) 323-7897 Fax: (727) 323-1897

United Rentals Highway Technologies

309 Angle Road Ft. Pierce, FL 34947 Phone: (772) 489-8772 or (800) 489-8758 (FL only)

Fax: (772) 489-8757

CAUTION: MANATEE HABITAT

IDLE SPEED / NO WAKE All project vessels

When a manatee is within 50 feet of work all in-water activities must SHUT DOWN

Report any collision or injury to:

1-888-404-FWCC (1-888-404-3922)

Florida Fish and Wildlife Conservation Commission



UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office 263 13th Avenue South St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

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U.S. Army Corps of Engineers
Permit # 5AT. 2008.1387
Date: 2/00/08
Attachment: 3



Seagrass Protection and Substrate Restoration Plan

1.0 Introduction

A submerged aquatic vegetation (SAV) survey and Essential Fish Habitat (EFH) survey has been conducted by PBS&J for the limits of the Old DuPont Bridge demolition project (see attached). The survey was conducted on June 6, 2006, to identify the deep edge of the SAV beds and identify the SAV species composition and percent cover. The survey consisted of utilizing an underwater viewing tube, snorkeling and GPS data collection, along with preliminary research involving the study of aerial maps and SAV geographic information systems (GIS) data overlays from the Florida Geographic Data Library (FGDL), including Florida Marine Research Institute's (FMRI) 1992 seagrass data set.

Field studies were conducted beginning from the shallow edge of the SAV and progressing toward the deep edge of the SAV of each site studied. A general assessment of the profile and species composition of the SAV beds was conducted. A GPS point was taken at the deepwater edge of each location identified, which represents the limits of the SAV extending into the Bay.

The south side of the eastern span (City of Parker side) of the Old DuPont Bridge was surveyed first. The survey extended approximately 930 feet to the south of the existing structure. The SAV to the south of the existing structure consisted of *Halodule beaudetti* (shoal grass), *Thalassia testudinum* (turtle grass) and *Syringodium filiforme* (manatee grass). The shoal grass was found in the shallow waters, with turtle grass in the middle and the manatee grass located near the deep edge of the SAV line. Overall percent cover for the SAV ranged from 40 to 100 percent, with an overall 80 percent coverage at the deep edge.

The north side of the eastern span of the Old DuPont Bridge had an average depth of 2.5 meters or deeper at the deep edge. The survey extended approximately 530 feet to the north of the existing structure. The SAV found on this portion of the survey consisted of *H. beaudetti, T. testudinum* and *S. filiforme*. The layout of the grasses was similar to that of the south side of the eastern span mentioned above, although it did not extend as far from the shoreline. The average deep edge percent cover of SAV was approximately 85 percent. According to the SAV report, flushing seemed to be less prevalent as evidenced by a significant amount of foam and other debris in the water.

The next area mentioned in the report is the south side of the western span (Tyndall Air Force Base side) of the Old DuPont Bridge. The survey area extended approximately 630 feet south of the existing structure. The SAV in this area appeared to be the least continuous and most patchy of the sites surveyed. The two dominant species that were observed on the south side of the western span consisted of *H. beaudetti* and *S. filiforme*. The percent cover of the SAV ranged from 20 to 70 percent, with an average cover of 50 percent.

U.S. Army Corps of Engineer	٠,
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The final survey area was located to the north of the western span on the Tyndall Air Force Base side of the Old DuPont Bridge. The extent of the survey included the area under the existing U.S. Highway 98 Bridge and continued north about 600 feet from the Old DuPont bridge structure. The SAV found in this survey area consisted of *H. beaudetti*, *S. filiforme*, and *T. testudinum*. The SAV extended approximately 200 feet from the shallow area out to the deep edge. *H. beaudetti* was found closest to shore, then a mix of *H. beaudetti* and *S. filiforme*, with *S. filiforme* and *T. testudinum* being near the deep edge.

No SAV was found under the Old DuPont Bridge or the current U.S. Highway 98 Bridge, nor was there SAV located between the old DuPont Bridge and the U.S. Highway 98 Bridge on the Tyndall Air Force Base (western span) side of the project. Also, no SAV was located in the boat ramp channel on the City of Parker side (eastern span) of the Old DuPont Bridge.

2.0 Purpose

Submerged aquatic vegetation (seagrass beds) provides habitat to many marine species, provides food source to many species, stabilizes substrate, and helps filter nutrients and other pollutants that may lead to poor water quality when introduced into a marine environment.

The purpose of this seagrass protection plan is to provide guidance to the contractor responsible for removing the Old DuPont Bridge to avoid impacts to existing submerged aquatic vegetation (SAV). This plan provides necessary measures to protect existing SAV adjacent to the project site. The plan includes implementation of proper best management practices (BMPs), marking areas of existing SAV, and provides detailed guidance to avoid impacts to SAV. Since no blasting or clamming activities shall take place, there should be minimal to no impact to the substrate.

3.0 Methodology

The project involves the demolition of the Old DuPont Bridge as well as sinking of at least one of the trusses from the bridge into the Gulf of Mexico to create an artificial reef. The center span of the bridge that traversed the federal navigation channel was previously removed. The demolition involves the removal of 2 end bents, 20 intermediate bents and 7 piers. The center span of this bridge that extended over the federal navigation channel was removed previously. The bridge is being demolished because it was deemed as a potential hazard by the Florida Department of Transportation (FDOT). The existing pile bents will be removed entirely or below the mud line in areas where seagrasses may recruit. In areas outside of potential seagrass recruitment, the end bents will be removed below the mud line or cut out at the mud line. A barge mounted crane will be utilized to remove the existing intermediate bents. The substrate will be restored to initiate recolonization by seagrasses, an important food source for sea turtles, manatees and other marine life.

In addition, the seven large piers supporting the truss spans will be removed. The piers will be wiresaw cut directly above the caisson. This will leave between 11 ft and 22 ft of the pier remaining in the water. Blasting is not anticipated to be required at this time. This methodology was approved by the USACE, NMFS, USFWS, and USCG in a joint meeting on March 20, 2008.

The artificial reef will be dropped in the Gulf of Mexico at a previously approved Large Area Artifical Reef Site (LAARS) approximately 6 miles offshore. The location can be found on the attached Artifical Reef Site Location Map. The location is outside of the sturgeon consultation area.

Best management practices shall be implemented at all times during construction activities to ensure there will be no impacts to adjacent SAV beds. Floating turbidity curtains with weighted skirts shall be installed during saw cutting operations around areas where work is being conducted. The turbidity curtains shall be installed so that they are no less than one foot above SAV. The curtains will help reduce or eliminate sediment from being deposited on the SAV beds. Turbidity curtains shall be made of material in which manatees can not become entangled and shall be monitored regularly for entrapment of manatees and sea turtles. If manatees or sea turtles are found trapped in the curtains, work shall cease immediately and the project foreman shall contact Florida Fish and Wildlife Conservation Commission (FFWCC) immediately at 1-800-404-3922.

Seagrass and SAV surveys were conducted by PBS&J for the FDOT in June 2006. The results of these surveys provide deep edge limits of SAV under and adjacent to the DuPont Bridge. The limits of the SAV shall be marked prior to construction to allow workers to see the limits of the SAV while on-site. The limits of the SAV shall be marked by installing temporary buoys to prevent barges or other watercraft from entering areas of SAV. The buoys shall be installed just outside the limits of the SAV, to avoid potential impacts by installation of the buoys. The buoys shall also be located and labeled on the construction plans. Vessels being used during construction shall be excluded from the SAV areas to avoid potential scouring or prop scarring while operating. If vessels are needed within areas containing SAV, then the vessel shall operate in depths that would not cause impact to SAV. Also, all vessels stored on-site shall be moored outside the SAV areas to avoid temporary shading impacts and possible scouring and prop scarring.

All work should be conducted within the footprint of the existing structure or within areas that are void of SAV. The SAV report indicates that there is no SAV directly under the bridge, between the Old DuPont Bridge and the existing U.S. Highway 98 Bridge on the Tyndall Air Force Base side, and in the channel associated with the boat ramp on the City of Parker side. Working within these areas greatly reduces the risk of impacts to SAV from vessels and debris. If impacts occur during construction activities, coordination with U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and Florida Department of Environmental Protection (FDEP) shall be conducted immediately.

Once demolition has been completed, the contractor shall restore the existing substrate under the Old DuPont Bridge to promote SAV growth. No debris shall be left on the surface of the substrate in areas that are suitable for seagrass re-colonization. All voids left from pile removal shall be filled to promote SAV growth. A side scan survey has been performed to illustrate the existing contours of the adjacent SAV beds. A second side scan survey shall be provided once the demolition work has been completed to show that the substrate matches pre-construction conditions and is similar to that of the adjacent SAV beds. This work will be conducted to support natural recruitment of SAV within the framework of the old DuPont Bridge. The side scan survey will illustrate that no debris has been left in areas for potential seagrass recruitment.

4.0 Summary

This plan is to be implemented to help the natural recruitment of submerged aquatic vegetation (SAV) within the existing configuration of the Old DuPont Bridge. Submerged aquatic vegetation plays a key role in the marine environment and supports fish and other marine life, and provides a food source to many species in many different ways. The above guidelines shall be followed at all times during construction to protect this vital part of the marine environment. Any impacts to SAV need to be mitigated for as soon as possible after the impacts occur. Coordination with NMFS, USFWS, and FDEP shall be conducted if any SAV impacts are found during or after construction.



Florida Department of Environmental Protection

Northwest District, Panama City Branch Office 2353 Jenks Avenue Panama City, Florida 32405 Charlie Crist Governor

Jeff Kottkamp Lt. Governor

Michael W. Sole Secretary

CONSOLIDATED WETLAND RESOURCE PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:

Florida Dept. of Transp.-District 3 1074 Highway 90 Chipley, Florida 32428 Permit/Authorization Number:

03-0288372-002-DF

Date of Issue: September 24, 2008 Expiration Date: September 24, 2013

County: Bay

Project: To remove the substructure of

the Old Dupont Bridge.

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain a Consolidated Wetland Resource Permit. The Department is responsible for reviewing and taking final agency action on this activity.

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with section 18-21.0051, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, F.A.C., section 62-312.065, F.A.C.

As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for a consent to use sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. Therefore, consent is hereby granted, pursuant to Chapter 253.77, Florida Statutes to perform the activity on the specified sovereign submerged lands.

U.S. Army Corps of Engineers
Permit # 547-2008/1387
Date: 8/02/08
Attachment: 5

"More Protection, Less Process" www.dep.state.fl.us



Permittee: FDOT – District 3 File No.: 03-0288372-002-DF

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A copy of this authorization also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the enclosed 15 General Conditions and 16 Specific Conditions, which are a binding part of this permit and authorization. You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

ACTIVITY DESCRIPTION:

The project is to remove the substructure of the Old Dupont Bridge. The caisons will be removed a minimum of 20' below mean low water level or to the mudline, whichever is less. No blasting will be used. The removal will be by mechanical means. Cutting torches will be used to remove the outside steel casing of the existing bridge piers and caissons. Concrete saws will be utilized to cut the caissons into manageable sized for removal. Turbidity curtains and best management practices will be used at all times throughout the duration of the project.

ACTIVITY LOCATION:

The project is located between Parker and Tyndall Air Force Base, Parker, FL, East Bay, Class II Waters of the State, adjacent to Sections 25 & 35, Township 04-South, Range 14-West, Longitude 86° 36′ 27.309″ West, Latitude 30° 6′ 18.838″ North, in Bay County.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to sections

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403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

- 2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- 3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
- 4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- 5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- 6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- 7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

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- a. Have access to and copy any records that must be kept under conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- 8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of noncompliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- 9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- 10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
- 11. This permit is transferable only upon Department approval in accordance with rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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- 12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
- 13. This permit also constitutes Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500).
- 14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;
 - 3. the dates analyses were performed;
 - 4. the person responsible for performing the analyses;
 - 5. the analytical techniques or methods used; and
 - 6. the results of such analyses.
- 15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign

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or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Environmental Protection under Chapter 253, until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Florida Administrative Code rule 18-14, if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.

- 2. If during the progress of this project prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section Chapter 872.05, Florida Statutes.
- 3. At least 48 hours and no more than one week prior to commencement of work authorized by this permit, the permittee shall notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, 2353 Jenks Avenue, Panama City, Florida 32405, in writing. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 872-4375 during normal working hours.
- 4. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.
- 5. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the construction area. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed 29 NTU's above background levels degrading the ambient water quality of Outstanding Florida Waters. The following measure shall be taken by the permittee whenever turbidity levels within waters of the State surrounding

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the project site exceed the ambient water quality levels of the Outstanding Florida Waters:

- a. Immediately cease all work contributing to the water quality violation.
- b. Stabilize all exposed soils contributing to the water quality violation. Modify the work procedures that were responsible for the violation, and install more turbidity containment devices and repair any non-functioning turbidity containment devices.
- c. Notify the Submerged Lands and Environmental Resources Program at the Panama City Branch Office, at 850-872-4375, within 24 hours of the time the violation is first detected.
- 6. All storage or stockpiling of tools or materials (i.e. lumber, pilings, etc.) shall be limited to uplands or within the impact areas authorized by this project. In addition, all equipment being utilized shall be limited to operation and storage in uplands or within the impact areas authorized by this permit.
- 7. In order to comply with the requirements of section 373.414(5), Florida Statutes, riprap shall be installed along the toe of the seawall/bulkhead at a slope of 1:2 (Vertical/Horizontal) to an elevation of one foot above Mean High Water. This shall be done within 14 days of completion of the seawall/bulkhead.
- 8. Any damage to the wetlands/shoreline/littoral zone as a result of the construction shall be repaired by re-establishing the pre-construction elevations and replanting vegetation of the same species, size and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of the project and the department shall be notified of its completion within that same 30-day period.
- 9. Prior to construction, the limits of the construction areas shall be clearly flagged and staked by the agent and/or the contractor. All construction personnel shall be shown the location(s) of all wetland areas and submerged aquatic vegetation areas outside of the construction area to prevent encroachment from heavy equipment into these areas.
- 10. All wetland areas or water bodies, including SAV's, which are adjacent to the specific limits of construction authorized by this permit, shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.
- 11. All fill areas, fill slopes, and disturbed upland areas shall be stabilized at all times during and after construction so as to prevent any erosion, sedimentation, siltation, or scouring.

Page 8 of 12

- 12. All storage or stockpiling of tools or materials (i.e. lumber, pilings, etc.) shall be limited to uplands or within the impact areas authorized by this project.
- 13. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.
- 14. There shall be no fish cleaning stations, boat repair facilities, or fueling facilities on any structure that is over the water or jurisdictional wetlands.
- 15. All watercraft associated with the construction of the permitted structure shall only operate within waters of sufficient depth so as to preclude bottom scouring/prop dredging.
- 16. This permit shall be readily available at the project site to any duly authorized representative of the Department, the U.S. Army Corps of Engineers, or any empowered law enforcement officer. A copy of this permit and associated drawings shall be clearly posted and remain on site at all times during the activities. In addition to having the permit on site, the permittee is required to have a weather resistant sign, no smaller than 8 ½ inches by 11 inches, which states DEP Permit No. 03-288372-001-DF. This sign must be posted in such a location that it can be clearly seen from the road. This sign shall be posted on site for the duration of the construction authorized by this permit.

RIGHTS OF AFFECTED PARTIES:

This permit and consent to use sovereign submerged lands are hereby granted. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired.

Mediation is not available.

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A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes.

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A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This permit constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department. The applicant, or any party within the meaning of section 373.114(1)(a) or 373.4275 of the Florida Statutes, may also seek appellate review

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of the order before the Land and Water Adjudicatory Commission under section 373.114(1) or 373.4275 of the Florida Statutes. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Executed in Bay County Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sally M. Cooey

Panama City Branch Administrator

SMC:wbr

Enclosure: Location map

Permit drawings

General Consent Conditions

Cc: U.S. Army Corps of Engineers

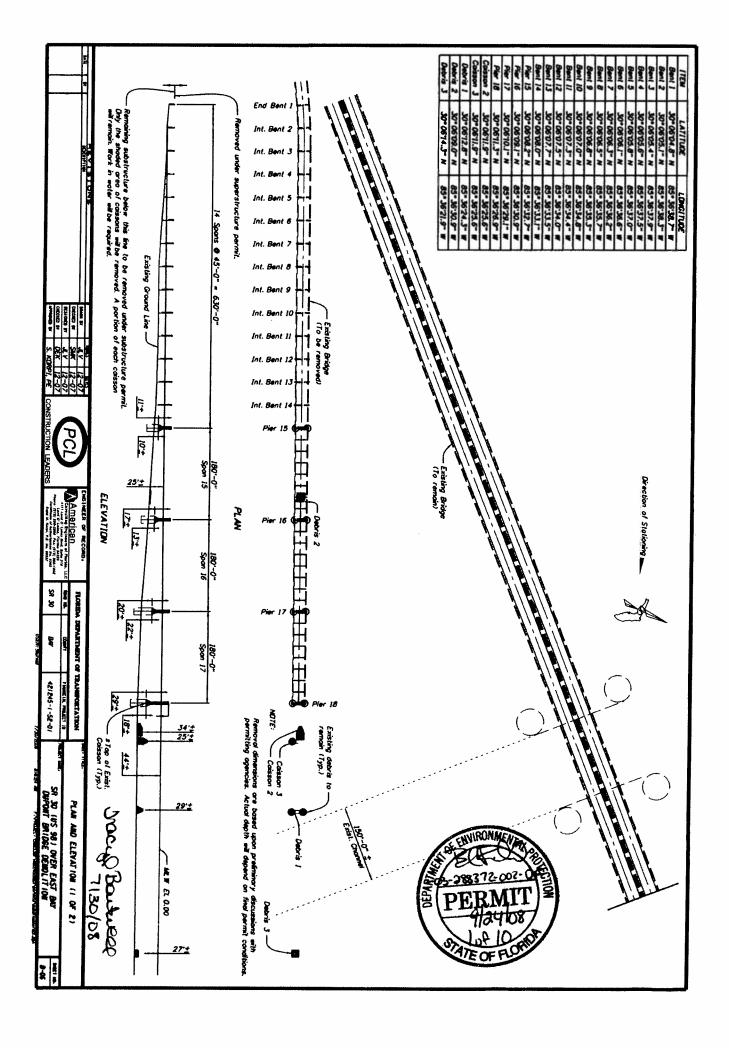
Chris Salicco, agent

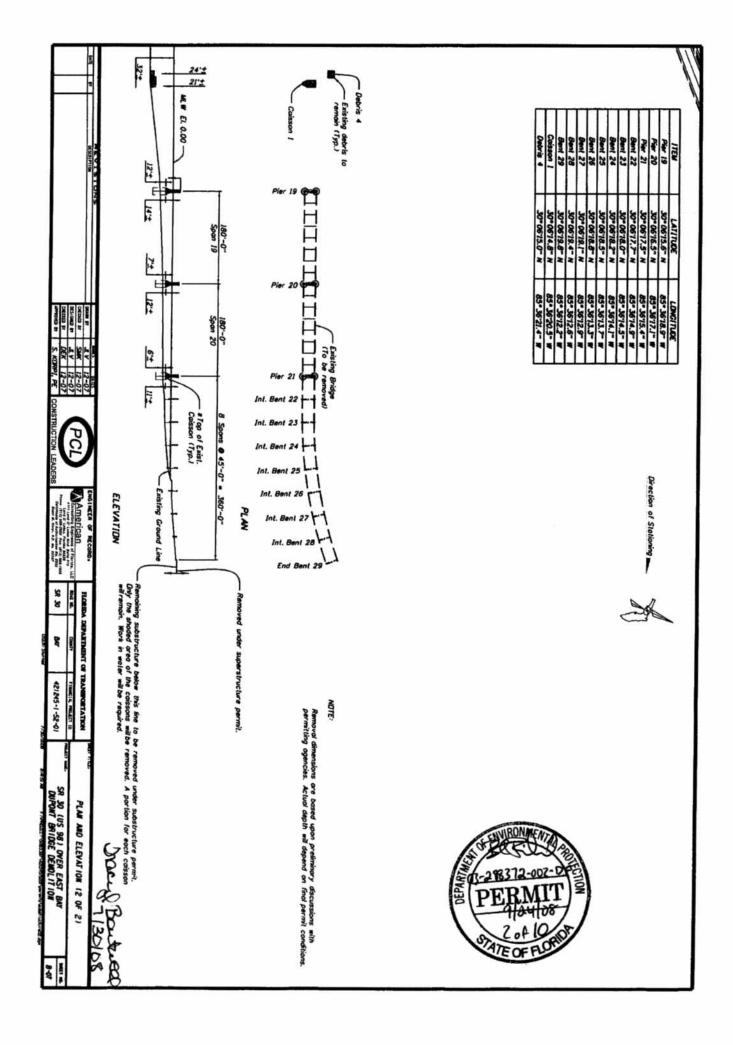
CERTIFICATE OF SERVICE

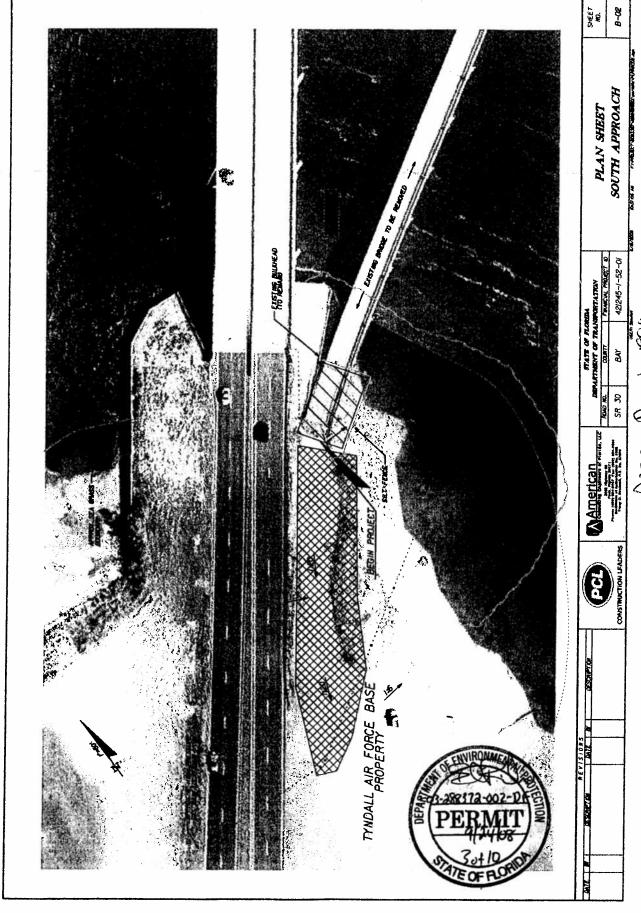
The undersigned duly	designated deputy clerk hereby certifi	ies that this permit and
authorization to use so	vereign submerged lands, including a	ll copies were mailed before the
close of business on	9/24/08	to the above
listed persons.		
FILING AND ACKNO	WLEDGMENT	
FILED, on this date, pu Florida Statutes, with the receipt of which is here	he designated Department Clerk,	
Clerk	Date	,
Cow & Clan	9/24/08	-

Prepared By: Brad Richardson

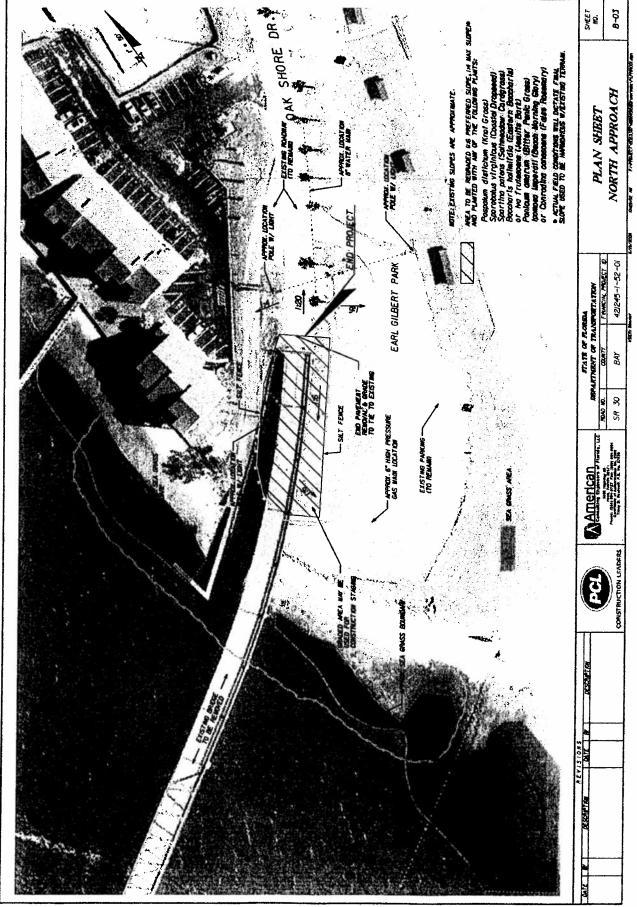
12 pages enclosed



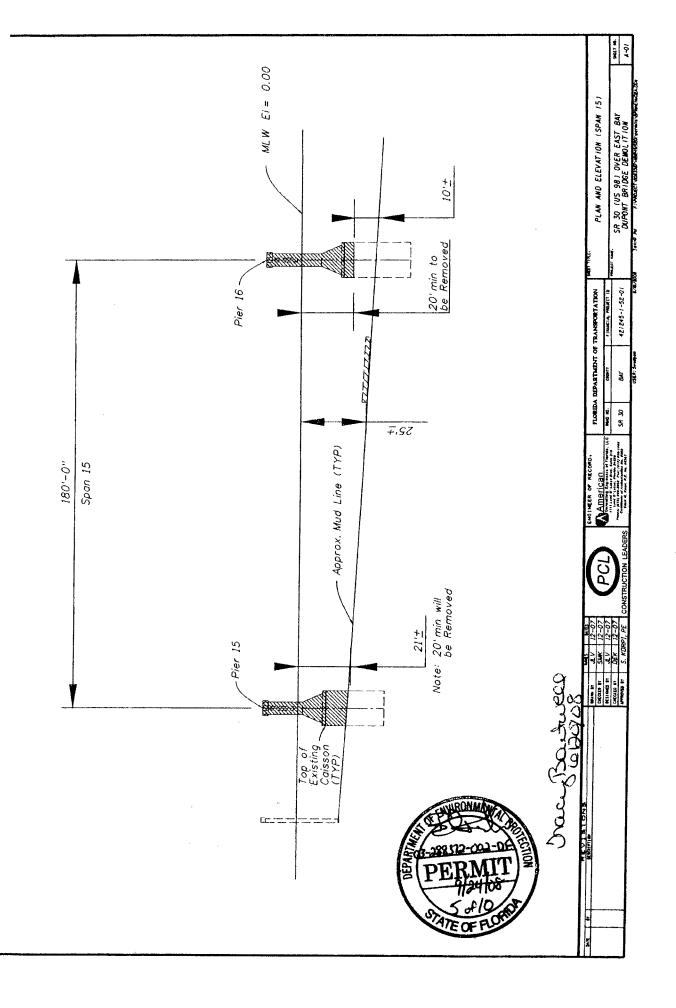


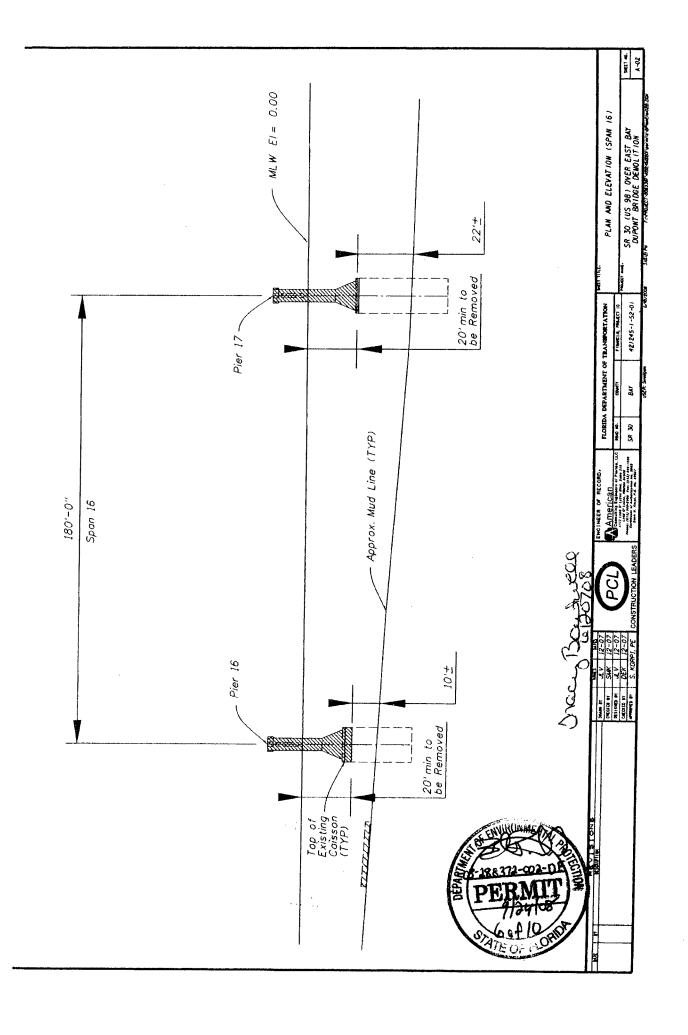


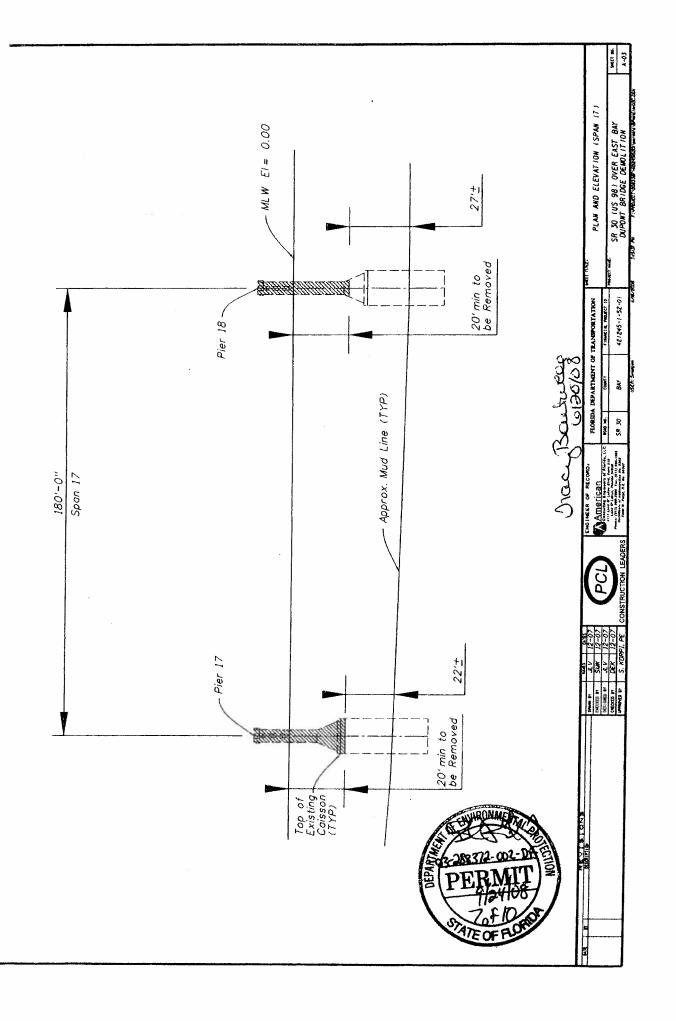
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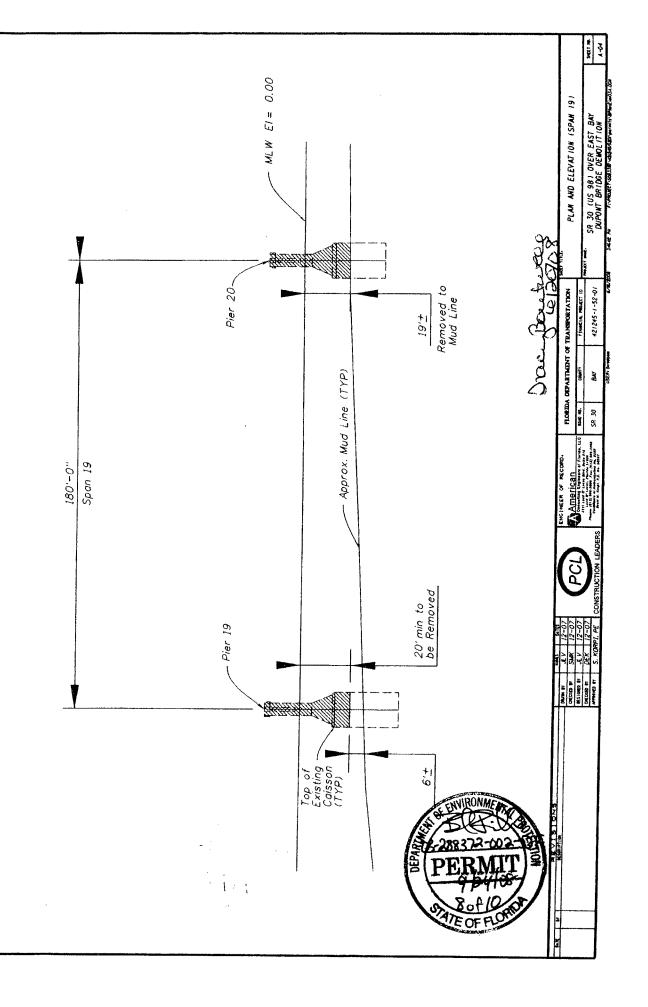


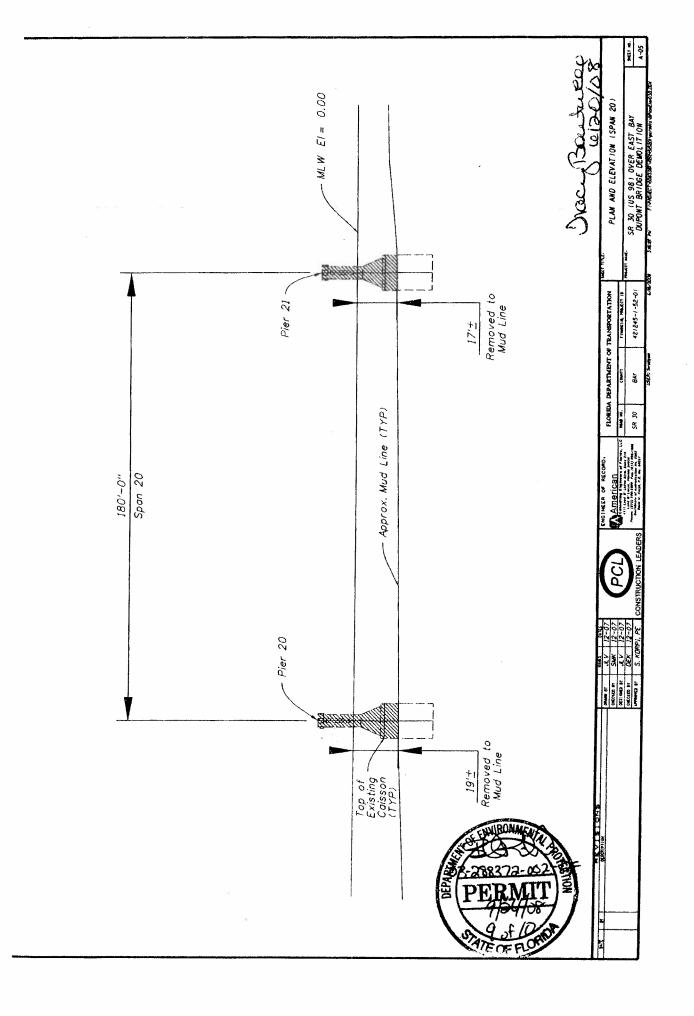
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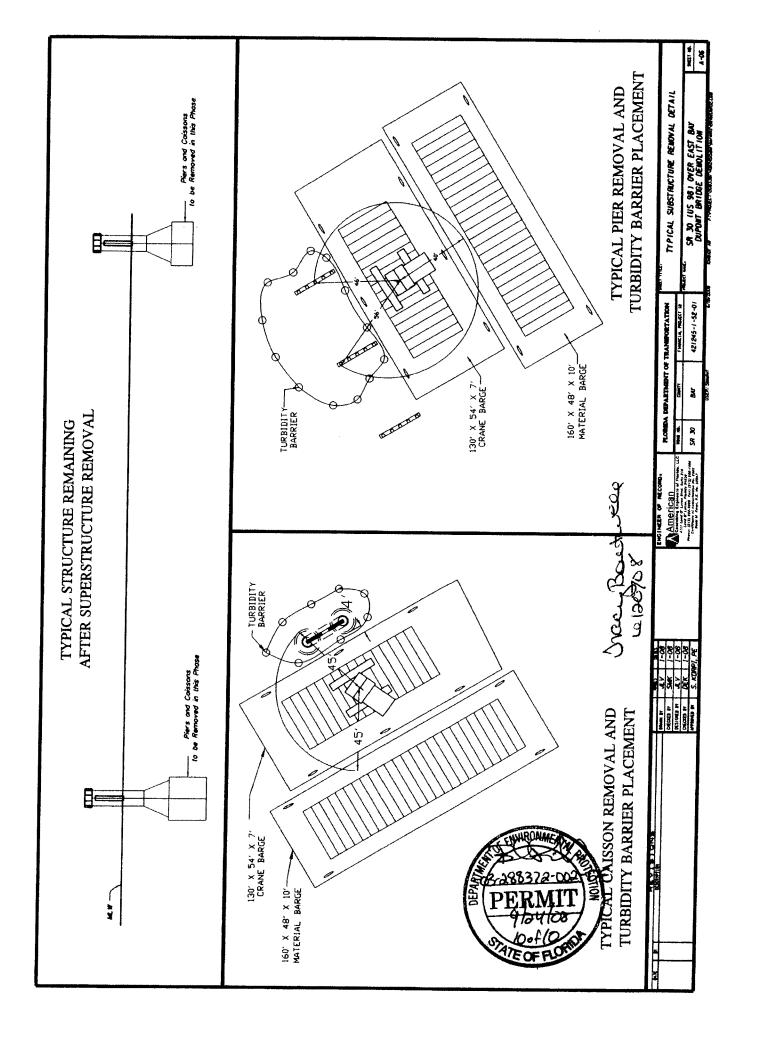












DEPARTMENT OF ENVIRONMENTAL PROTECTION SUBMERGED LANDS AND ENVIRONMENTAL RESOURCE PROGRAM GENERAL CONSENT CONDITIONS

File No.: 03-02883

03-0288372-002-DF

Applicant: Florida Department of Transportation – District 3

1. No activities other than those set forth in the attached permit are authorized. Any additional activities on state-owned sovereignty submerged lands must be receive further consent from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (hereinafter the "Board") or their properly designated agent.

- 2. Grantee agrees that all title and interest to all lands lying below the historical mean high water line or ordinary high water line are vested in the Board, and shall make no claim of title or interest in said lands by reason of the occupancy or use thereof.
- 3. Grantee agrees to use or occupy the subject premises for those purposes specified herein, and Grantee shall not permit the premises or any part thereof to be used or occupied for any other purpose or knowingly permit or suffer any nuisances or illegal operations of any kind on the premises.
- 4. Grantee agrees to maintain the premises in good condition in the interest of the public health, safety and welfare. The premises are subject to inspection by the board or its designated agent at any reasonable time.
- 5. Grantee agrees to indemnify, defend and hold harmless the Board and state of Florida from all claims, actions, lawsuits and demands arising out of this consent.
- 6. No failure, or successive failures, on the part of the Board to enforce any provision, waiver or successive waivers on the part of the Board of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Board to enforce the same in the event of subsequent breach.
- 7. Grantee binds itself and its successors and assigns to abide by the provisions and conditions set forth herein. In the event Grantee fails or refuses to comply with the provisions and conditions of this consent; the consent of use may be terminated by the board after written notice to the Grantee. Upon receipt of such notice, the Grantee shall have thirty (30) days in which to correct the

violation. Failure to correct the violations within this period shall result in the automatic revocation of this letter of Consent.

- 8. All costs, including attorneys' fees, incurred by the Board in enforcing the terms and conditions of this consent shall be paid by the Grantee. Grantee agrees to accept service by certified mail of any notice required by Chapter 18-14, Florida Administrative code, at the address shown on page one of this Agreement and further agrees to notify the Board in writing of any changes of address at least ten days before the change becomes effective.
- 9. Grantee agrees to assume responsibility for all liabilities that accrue to the sovereignty submerged land or to the improvements thereon, including any and all drainage or special assessment or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the property during the effective period of this consent.
- 10. Grantee agrees that any dispute arising from matters relating to this consent shall be governed by the laws of Florida and initiated only in Leon County, Florida.
- 11. The Letter of Consent associated with these General Consent Conditions as well as these conditions themselves are subject to the modification after 5 years in order to reflect any applicable changes in statues, rule or policies of the Board or its designated agent.
- 12. In the event that any part of the structure(s) consented to herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, Grantee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this consent and shall be grounds for its immediate termination.

Attention!!!

Please execute <u>ALL</u> General & Specific Conditions. Failure to comply with these conditions may result in an enforceable violation.

Notice!! New Specific Condition!!

Please implement new specific condition number (16) upon the activation of specific condition number (3).

- 3. At least 48 hours prior to commencement of work authorized by this permit, the permittee shall notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Panama City Branch Office, 2353 Jenks Avenue, Panama City, Florida 32405, in writing. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 872-4375 during normal working hours.
- 16. This permit shall be readily available at the project site to any duly authorized representative of the Department, the U.S. Army Corps of Engineers, or any empowered law enforcement officer. A copy of this permit and associated drawings shall be clearly posted and remain on site at all times during the activities. In addition to having the permit on site, the permittee is required to have a weather resistant sign, no smaller than 8 ½ inches by 11 inches, which states DEP Permit No. 03-288372-001-DF. This sign must be posted in such a location that it can be clearly seen from the road. This sign shall be posted on site for the duration of the construction authorized by this permit.

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineered drawings to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Branch

1.	Department of the	Army Permit Nu	mber:	
2.	Permittee Informat			
	Name			
	Address			
3.	Project Site Ident:	ification:		
Physi	ical location/addres	3s		
	As-Built Certificat eby certify that the dance with the De			
observerses set of	dance with the Detions noted below. vation, scheduled sentative under my f as-built engineering ture of Engineer a Reg. Number	and conducted direct supervising drawings. Name (Please Company Name	by me or by ion. I have en	on on-site
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Date	ج غ معر	Telephone Numb	per	
Deviation addition	ons from the appronal pages if necessa	oved plans and ary)	specifications:	(attach
			U.S. Army Corps of Permit # 545-3 Date: 3/32/6 Attachment: 6	of Engineers 08 -/387